

Remarks

Reconsideration of the application is urged in view of the amendments above and comments which follow.

First of all, the telephone interview granted by Examiner Shapiro to the undersigned on May 1, 2007 is gratefully acknowledged. While no resolution of the application was reached, certain proposed amendments were discussed, and that is reflected in the amendments above. As Examiner Shapiro indicated, claim amendments after a final rejection would require a request for continued examination, and therefore this response is being filed as part of an RCE.

As explained to Examiner Shapiro during the interview, the invention of the present application is quite different from that of the known prior art, and in particular the primary reference cited by the Examiner, the Dearing reference. The invention of the present application is a warming cabinet which senses the presence of a product in each product compartment, while the product remains in the compartment, and separately, for each product in each product compartment, ages the product in that compartment by illustrating that aging in an aging indicator having at least three product condition signals.

In Dearing, as previously explained and discussed during the interview, a product is sensed only if the product has a bar code or other means of it being sensed. Otherwise, if the product is not detectable, it can sit in the cabinet essentially forever, and never be detected. In the present invention, the product is sensed, and that remains true while the product remains in the product compartment. Once the product is withdrawn from the compartment, however, the sensing ceases, and once the next product is inserted in the compartment, the process starts again.

Also in Dearing, there is not a separate aging indicator associated with each product compartment. To emphasize the nature of the indicator of the present invention, the independent claims have been amended, where appropriate, to indicate that there are at least three product condition signals. The Examiner, during the interview, mentioned that an on/off light might be considered to have multiple product condition signals, but clearly an on/off light does not have at least three product condition signals. Therefore, claim 1 has been appropriately amended to emphasize this, while claim 11 already had the inclusion of three displays.

Given the above and the distinction of the invention from the prior art, whether considered alone or in proper combination of their teachings, it is submitted that independent claims 1 and 11, and their depending claims, are now in condition for allowance.

New method claim 19 has been added, essentially setting forth the method of claim 1. For the reasons that claim 1 is submitted to be allowable, new claim 19 is submitted to be allowable, as well.

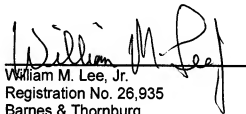
New method claim 20, dependent on claim 19, introduces the concept of "resetting". Once a product is withdrawn from a compartment and another is inserted, the process of sensing, etc. starts anew.

Given the above, it is submitted that the application is in condition for allowance, and the Examiner's further and favorable reconsideration is urged.

As this response is being submitted during the fourth month following the Examiner's Office Action, an appropriate petition for extension of time is included herewith.

May 3, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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